

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-14 – (Cancelled)

15. (Previously Presented) A flowable, aqueous concentrate composition containing

- i. particles a) of microencapsulated pendimethalin,
- ii. particles b) of non-encapsulated pendimethalin and
- iii. at least one surface-active substance

wherein the weight ratio of the microencapsulated pendimethalin particles to non-encapsulated pendimethalin particles is from 1:9 to 9:1.

16. (Previously Presented) The composition as claimed in claim 15, wherein the microencapsulated pendimethalin is encapsulated by a polymeric wall material which is selected from the group consisting of polyurea and polyurethane.

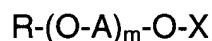
17. (Previously Presented) The composition as claimed in claim 15, wherein the microencapsulated pendimethalin particles are encapsulated by a polymeric wall material in an amount of from 0.5 to 20% by weight, based on the weight of pendimethalin in said particles.

18. (Previously Presented) The composition as claimed in claim 15, wherein the concentration of pendimethalin in the composition is from 200 to 600 g/l.

19. (Previously Presented) The composition as claimed in claim 15, wherein the composition contains at least one surface-active substance A which contains a plurality of anionic groups and which is an anionic oligomer or polymer.

20. (Previously Presented) The composition as claimed in claim 19, wherein the anionic oligomer or polymer is selected from the group consisting of oxidized alkali-lignin, lignosulfonate, ligninsulfate, and a salt of an arylsulfonic acid formaldehyde condensate and of an arylsulfonic acid formaldehyde urea condensate.

21. (Previously Presented) The composition as claimed in claim 15, wherein the composition contains at least one anionic surface-active compound of the formula I



wherein

- R is a hydrocarbon radical having from 8 to 40 carbon atoms and optionally one oxygen atom,  
A is 1,2-ethylene, 1,2-propylene or 1,3-propylene,  
m is from 3 to 200 and  
X is  $SO_3M$  or  $PO_3M_2$  with M being selected from the group consisting of H, alkaline metal, alkaline earth metal and ammonium.

22. (Previously Presented) The composition as claimed in claim 15, wherein the composition contains at least one neutral surface-active compound of formula II



wherein

- $R^1$  is a hydrocarbon radical having from 8 to 40 carbon atoms and optionally one oxygen atom,  
B is 1,2-ethylene, 1,2-propylene or 1,3-propylene and  
n is from 5 to 200.

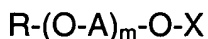
23. (Previously Presented) The composition as claimed in claim 15, wherein

the total amount of surface-active substance is from 1 to 50% by weight, based on the weight of pendimethalin in the composition.

24. (Previously Presented) The composition as claimed in claim 15, wherein the composition further contains an inorganic water-soluble salt in an amount of from 10 to 200 g/l.

25. (Currently Amended) The composition as claimed in claim 24, wherein the composition contains

- i. ~~50 to 50 g/l~~ 500 g/l of pendimethalin as microencapsulated pendimethalin particles a),
- ii. 50 to 500 g/l of non-encapsulated pendimethalin particles b),
- iii. 5 to 100 ~~g/l~~ g/l of at least one anionic oligomeric or polymeric surface-active substance A which is an anionic oligomer or polymer, which contains a plurality of anionic groups,
- iv. 5 to 200 g/l of at least one anionic surface-active compound of the formula I



wherein

R is a hydrocarbon radical having from 8 to 40 carbon atoms and optionally one oxygen atom,

A is 1,2-ethylene, 1,2-propylene or 1,3-propylene,

m is from 3 to 200 and

X is  $SO_3M$  or  $PO_3M_2$  with M being selected from the group consisting of H, alkaline metal, alkaline earth metal and ammonium.

- v. 5 to 50 g/l of at least one nonionic surface-active compound of the formula II



wherein

- $R^1$  is a hydrocarbon radical having from 8 to 40 carbon atoms and optionally one oxygen atom,
- B is 1,2-ethylene, 1-2-propylene or 1,3-propylene and
- n is from 5 to 200.

vi. 20 to 200 g/l of at least one water-soluble inorganic salt.

26. (Previously Presented) A method for preparing a composition as claimed in claim 15, which comprises mixing of a first free flowable, aqueous composition containing particles of microencapsulated pendimethalin containing of from 200 to 600 g/l of pendimethalin with a second free flowable aqueous composition containing 200 to 600 g/l of non-encapsulated particles of pendimethalin.

27. (Previously Presented) A method for controlling undesired vegetation, which comprises applying an aqueous tank-mix, which is obtained by diluting a concentrate composition as claimed in claim 15 with water, to undesired plants, their seed or their environment before, during and/or after the emergence of the undesired plants.

28. (Previously Presented) A method for controlling undesired vegetation comprising applying to the unwanted vegetation, their seed or their environment a herbicidally effective amount of an aqueous composition containing

- i. particles a) of microencapsulated pendimethalin,
- ii. particles b) of non-encapsulated pendimethalin and
- v. at least one surface-active substance

wherein the weight ratio of the microencapsulated pendimethalin particles to non-encapsulated pendimethalin particles is from 1:9 to 9:1.

29. (Previously Presented) The method of claim 29, wherein the aqueous composition is applied to leaves of undesired vegetation.